

Code Compliance

— guidelines on Seattle regulations governing safety and quality of life

When and How to Report a Code Violation to DPD

Updated February 2, 2006

The Department of Planning and Development (DPD) is the agency responsible for enforcing many City of Seattle codes. In most cases, investigation of code violations and enforcement action by the department begins when the public reports a potential violation.

This Client Assistance Memo (CAM) explains the types of potential violations which should be reported to DPD and how the department investigates and resolves them.

Major Codes Enforced by DPD

- **Construction codes**, such as the Seattle Building Codes, Electrical Code, and Grading Ordinance, which set standards for new construction and remodeling.
- **Housing and Building Maintenance Code**—standards for habitability and safety in existing rental housing and other structures, and for vacant buildings.
- **Land Use Code**—standards for development and uses in all zones including shorelines.
- **Weeds and Vegetation Ordinance**—standards to control hazards caused by vegetation such as overgrowth encroaching on streets, sidewalks or improved alleys. It does not set a maximum allowable height for overgrowth on private property.
- **Just Cause Eviction Ordinance**—standards for residential tenant evictions for just cause.
- **Tenant Relocation Assistance Ordinance**—provides benefits to residential tenants displaced by development activity. Benefits include the payment of cash assistance to low-income tenants and advance notice of planned development.

- **Noise Ordinance**—standards for noise generating equipment including but not limited to heating, air conditioning, ventilation, refrigeration, manufacturing processes, and construction.
- **Environmentally Critical Area (ECA)**—Code governing development in landslide prone areas, steep slopes, riparian corridors, flood-prone areas, wetlands, along with fish and wildlife habitat areas and the applicable buffers.

Typical Reports of Potential Violations

- Work which is underway without a permit, such as construction or grading.
- Safety issues such as structural problems, collapsing buildings or retaining walls, land slides, boiler or elevator safety problems, or electrical hazards.
- Work which does not conform to plans approved for a permit (e.g., setbacks which do not conform to those shown on the plans).
- Violation of construction conditions established for a project, such as exceeding allowed hours of operation or producing excessive noise.
- Shoreline violations such as hindrances to posted public access or unpermitted work in the shoreline.
- A use in a building which does not conform to the issued Certificate of Occupancy, such as a dance hall in a warehouse.
- Poor conditions in rental housing, such as rotting floors, no heat or sanitation problems.
- Notice of eviction or termination of tenancy to a residential tenant without just cause.
- Vacant buildings open to unauthorized entry.
- Illegal operation of businesses in residential zones.
- Illegal duplexes or triplexes in single family zones.
- Inoperable vehicles parked on private property in residential zones.



- Noise emanating from exterior heat exchangers, and other similar devices (e.g., ventilation, air-conditioning, refrigeration).
- Extensive grading, clearing and/or vegetation removal in an ECA-designated area.
- Cutting down or topping of trees on an ECA-designated steep slope.
- Constructing retaining walls or rockeries on an ECA-designated steep slope.

Reporting a Code Violation

To report a potential code violation, contact DPD by either calling the Violation Complaint Line at (206) 615-0808 or writing to DPD Code Compliance, P.O. Box 34019, Seattle, WA 98124-4019. You may also visit Code Compliance staff on the 19th floor of Seattle Municipal Tower at 700 Fifth Ave., open 8 a.m.-5 p.m., Monday-Friday. **Be sure to make it clear that you want to report a potential code violation and give the exact address of the property where you believe the violation exists.**

You need not give your name, but if you do, you may request that the department not release your identity in connection with the investigation. However, you should be aware that if enforcement action results in court proceedings it may not be possible to keep your name confidential.

If you do not wish to identify yourself, you may call (206) 615-0808 to determine the status of your complaint and results of the inspection. Usually assignments are made within a week of DPD receiving a report of a violation.

If you choose to identify yourself, leave a contact telephone number and address, and request feedback, you will be contacted by the inspector investigating your reported violation or the inspection support analyst managing the case. In cases in which inspection of the interior of a dwelling unit or structure is required, a contact name and number of someone who can give the inspector access to inspect for the violation is essential. The inspector must observe a violation before enforcement action can be taken.

Keeping Track of the Investigation

The status of housing, land use, noise, weeds, construction and site investigations may be obtained via DPD's website at www.seattle.gov/dpd/enforcement.

You will need either the address of the property or the case number to obtain information in this way.

Please take note of when the investigation process was last updated. This date is shown just below the title on the first page of the online report. If your report was made since the most recent online update, the current status information will not yet be available.

You may also keep track of the investigation process by contacting the complaint hotline at (206) 615-0808.

Enforcement Process

Inspections staff investigate all reports of potential code violations to determine if code or permit condition violations exist. The department's first priorities for investigation and resolution of reported violations are health and safety. Emergency complaints will be investigated within 24 hours of filing a report unless the report is made after 2 p.m. on a Friday. Life-threatening emergencies and/or after-hours noise complaints should be reported to the City's 911 emergency number.

When a hazardous situation exists, DPD can order a building to be vacated. In cases of work without a permit, DPD can issue a "Stop Work Order" which prohibits further construction until a permit is obtained. Stop Work Orders can also be issued when work does not conform to approved plans. If an emergency exists in housing, land use, or weeds cases, an "Emergency Order" will be issued which requires compliance or progress toward compliance within a short time-frame, usually one or two days.

Housing and Building Maintenance Code complaints, other than emergencies, are inspected within 10 days of assignment. Land Use Code violations are typically inspected within 15 days of assignment. Vegetation overgrowth complaints, while seasonal, will be investigated as soon as workloads and inspection schedules permit.

As a general rule, if an inspection confirms a code violation, the department will inform the property owner of the violation and request voluntary action to correct the violation. When the owner does not comply, a legal process will be started by issuance of either a citation or a Notice of Violation (NOV). A citation carries an immediate fine for having committed certain types of violations. A person who receives a citation can request a hearing concerning the citation to either challenge its issuance or to request mitigation of the fine.

An NOV, on the other hand, provides a specified

amount of time to correct a code violation without a penalty being automatically assessed. The amount of time allowed for compliance in an NOV varies based upon the nature and severity of the violation. Owners have the right to request an administrative Director's Review of an NOV. If the owner does not correct the violations by the date indicated in the NOV, the department may refer the case to the City's Law Department for filing of court action which could lead to fines for the violator. Except in exceptional situations, the City does not have the authority to correct code violations.

When the activity taking place in a building or part of a building does not conform to the issued certificate of occupancy for the building or area, the department can require that permits be obtained. The department can take action on construction which has already been completed without a permit. Enforcement options include requiring the demolition of structures built without a permit and imposition of extra permit fees.

Violation of an order, such as a Stop Work or Emergency Order, may lead to criminal prosecution. If property owners respond to notification from DPD that a code violation exists by obtaining the necessary permits, the department will normally not pursue legal action, but referrals of enforcement cases to the City's Law Department can lead to fines.

Important Things To Remember

When filing a complaint about a potential code violation, provide the precise address. If a building permit or large sign is posted on the site of a violation, provide the project or permit number. See page two for additional details.

Potential violations should be reported to DPD's Code Violation Complaint Hotline at (206) 615-0808.

Access to Information

Links to electronic versions of **Codes** mentioned in this CAM are available on the DPD website at **www.seattle.gov/dpd/codes**. Paper copies of these documents are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, (206) 684-8467.